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**U.S. Department of the Interior
Bureau of Land Management
Kremmling Field Office
P.O. Box 68
Kremmling, CO 80459**

CATEGORICAL EXCLUSION

NUMBER: DOI-BLM-CO-120-2009-0028-CX

PROJECT NAME: Renewal of Livestock Grazing Permits # 051949 for Coal Mountain LLC on Allotment 00007 (Coal Mountain), # 051764 for Matheson Ranch on Allotment 07552 (Meadow), # 052926 for William Thomas Jr. on Allotment 07557 (Perkins), and # 051814 for Elkfork Ranch LLC on Allotment 07565 (Brown).

LEGAL DESCRIPTION: Kremmling Field Office (KFO) administered land includes all or part of the following:

Allotment 00007 (Coal Mountain)
T. 3N., R. 80W., Sec. 4 and 5

Allotment 07552 (Meadow)
T. 3N., R. 80W., Sec. 21-23, 26-28

Allotment 07557 (Perkins)
T. 3N., R. 80W., Sec. 17, 20, 21

Allotment 07565 (Brown)
T. 3N., R. 79W., Sec. 7 and 18
T. 3N., R. 80W., Sec. 1-3, 10-15, 22, 23
T. 4N., R. 80W., Sec. 23-26, 35, 36

APPLICANTS: Coal Mountain LLC, Matheson Ranch, William Thomas Jr., Elkfork Ranch LLC.

DESCRIPTION OF PROPOSED ACTION: The Proposed Action would renew the following livestock grazing permits:

- # 051949 for Coal Mountain LLC on Allotment 00007 (Coal Mountain),
- # 051764 for Matheson Ranch on Allotment 07552 (Meadow),
- # 052926 for William Thomas Jr.,
- # 051814 for Elkfork Ranch LLC on Allotment 07565 (Brown).

These permits expire on February 28, 2009. All four permittees have applied to have their permits renewed. Implementation of the Proposed Action would renew these permits for a period of ten years beginning on March 1, 2009. The permits would be renewed with no changes to the number or kind of livestock, season of use, or livestock grazing preference expressed in AUMs*.

* AUM = animal unit month = the amount of forage needed to support one cow and her calf for one month.

The renewed livestock grazing permits would authorize livestock grazing to the following extent:

Permit	Allotment	Livestock Number	Kind	Season of Use	Percent Public Land	AUMs
051949	00007	69	Cattle	06/01 – 09/30	10	28
051764	07552	168	Cattle	05/15 – 06/10	100	149
052926	07557	65	Cattle	05/16 – 09/30	20	59
051814	07565	187	Cattle	07/01 – 08/31	100	381

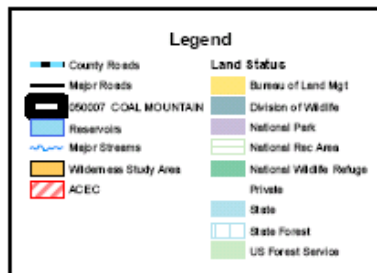
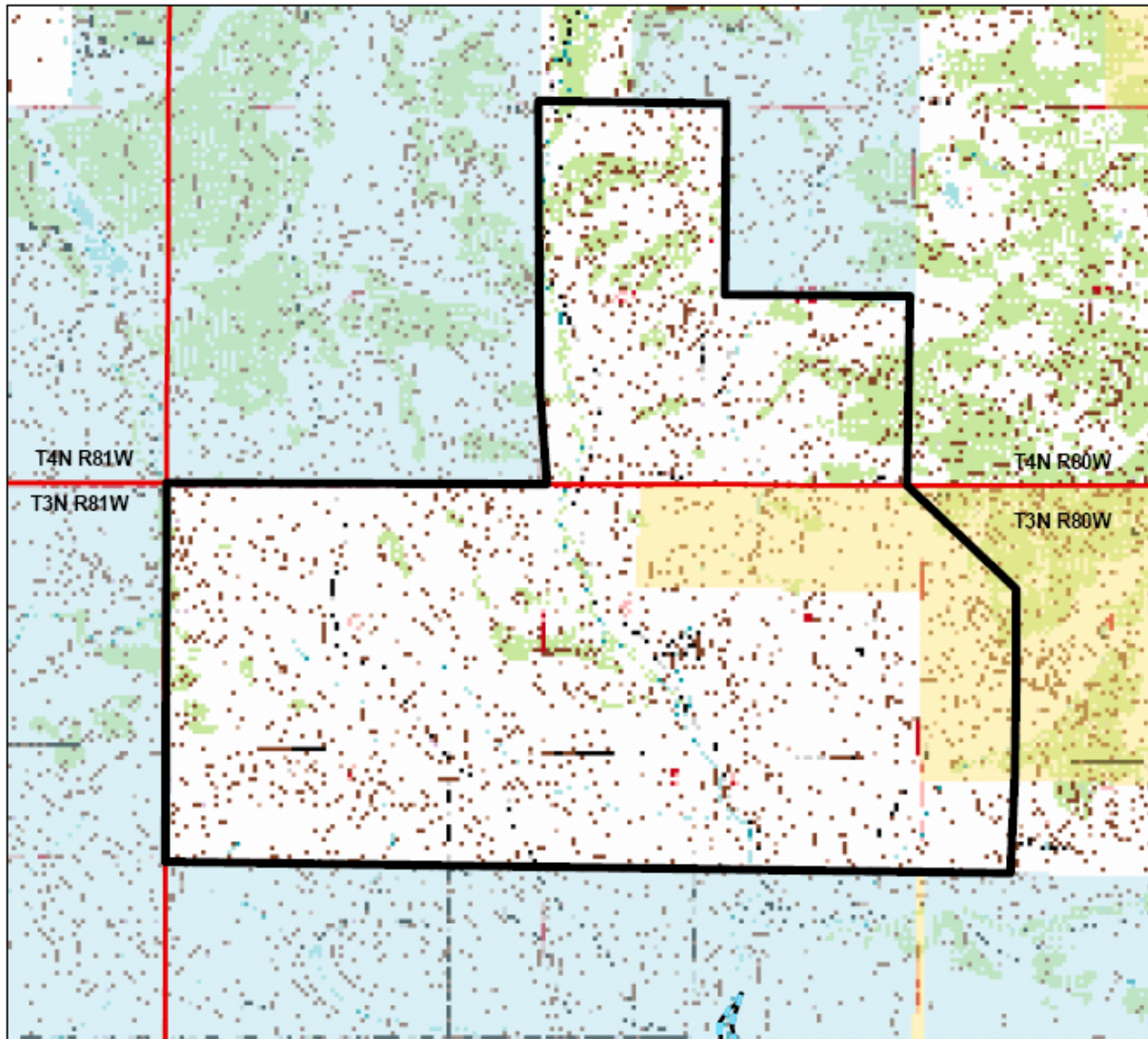
Allotments 00007 (Coal Mountain) and 07557 (Perkins) are custodial category “C” allotments with small percentages of public land. Category “C” allotments do not require assessment for compliance with the Standards for Public Land Health in Colorado (Standards). However, both of these allotments were monitored in 2008 and no issues or concerns were identified.

Allotment 07552 (Meadow) is an improve category “I” allotment. It was assessed for compliance with the Standards by an interdisciplinary (ID) team from the Kremmling Field Office on July 13, 2006. It was determined that the allotment is in compliance with the Standards.

Allotment 07565 (Brown) is an improve category “I” allotment that includes part of the Troublesome Wilderness Study area. The allotment was assessed for compliance with the Standards on August 18, 1998, during the 1999 permit renewal process. The allotment was determined to be in compliance with the Standards. Since no changes were made to number or kind of livestock, season of use, or amount of authorized livestock grazing preference, the allotment was not reassessed for compliance with the Standards. There are no known issues or concerns associated with this allotment.



0007 COAL MOUNTAIN



0 0.15 0.3 0.6 Miles

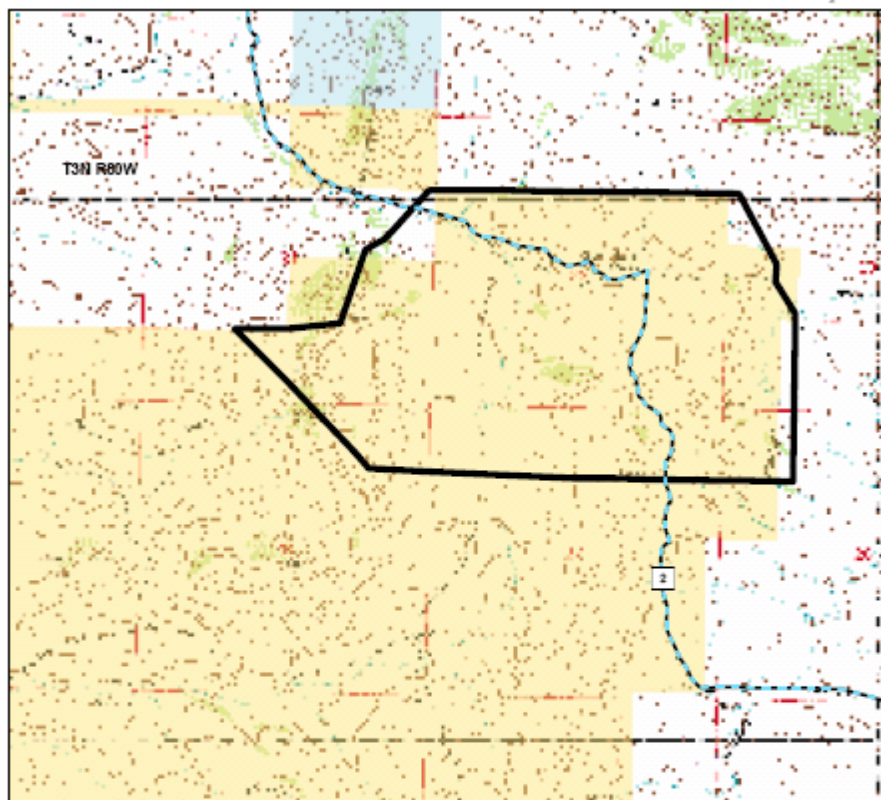
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No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Hyannis Peak, Gunsight Pass
Whiteley Peak, Hinman Reservoir
BLM, Kremmling FO 10/29/2008



07552 MEADOW



0 0.15 0.3 0.6 Miles

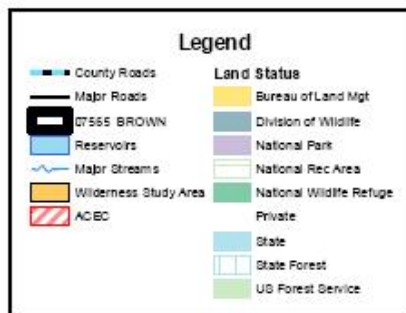
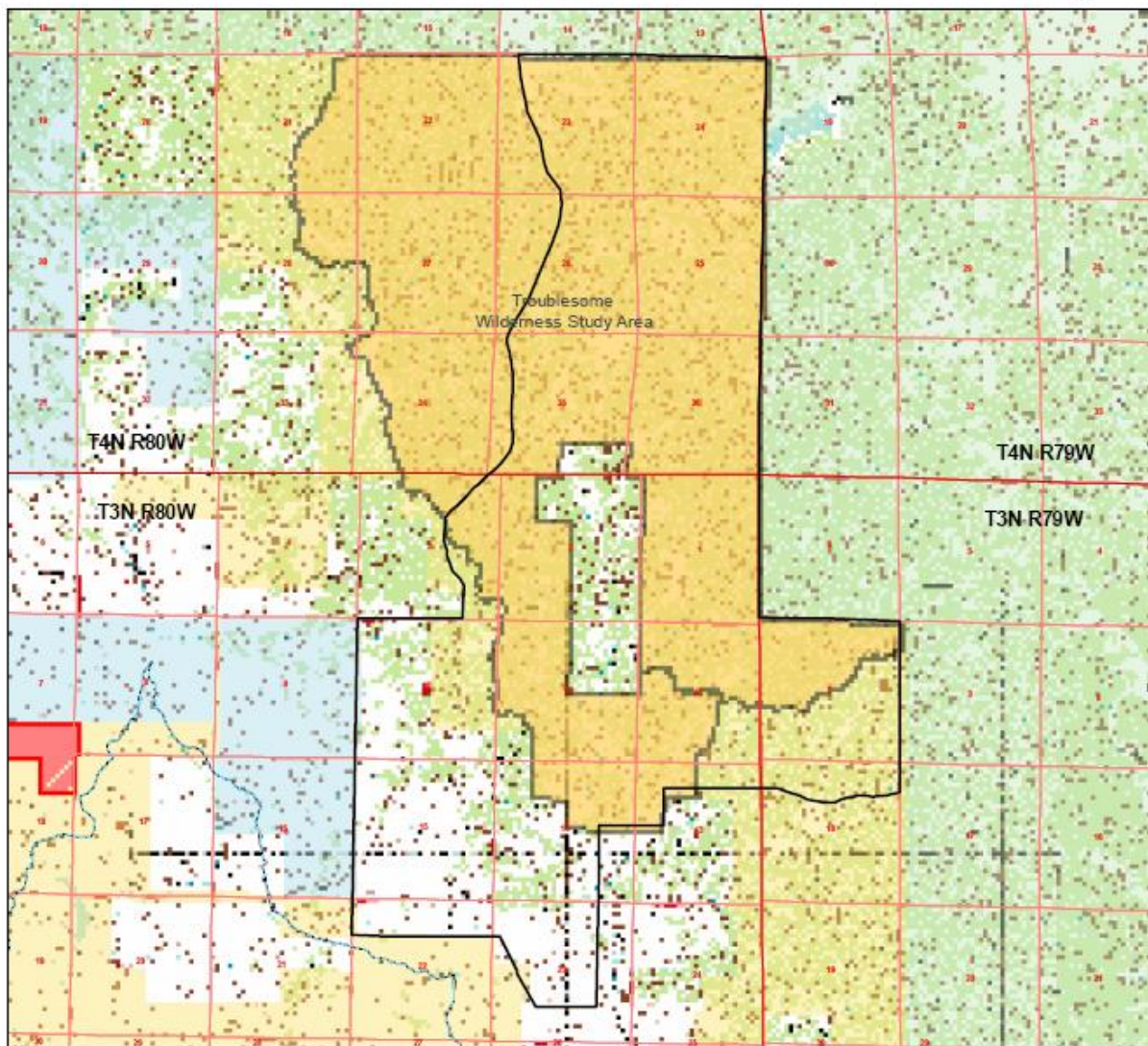
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No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Map: Gunsight Pass
BLM, Kremmling FO 10/31/2008



07565 BROWN



0 0.35 0.7 1.4 Miles

1:65,073

No Warranty is made by the Bureau of Land Management as to the Accuracy, Reliability, or Completeness of this Data for Individual Use or Aggregate Use with Other Data.

Maps: Hyanis Peak, Gunsight Pass, Hinman Reservoir, Whiteley Peak, Corral Peaks, Park View Mountain BLM, Kremmling FO 10/28/2008

PLAN CONFORMANCE REVIEW: The Proposed Action is subject to and has been reviewed for conformance with the following plan (43 CFR 1610.5, BLM 1617.3):

Name of Plan: Kremmling Resource Management Plan (RMP), Record of Decision (ROD)

Date Approved: December 19, 1984; Updated February 1999

Decision Number/Page: Livestock Grazing: pages 6 and 8, as revised

Decision Language: Objectives of the RMP/ROD include allocation of a base level of livestock forage and maintaining or improving forage production and condition in areas where livestock grazing is a priority or is compatible with the land use priority. The RMP designated allotments 00007 (Coal Mountain) and 07557 (Perkins) with a wildlife priority. Allotment 07552 (Meadow) has a livestock grazing designation. Allotment 07565 (Brown) has a livestock grazing and forest products designation with a water designation along the water courses within the allotment. The Proposed Action is compatible with these designations.

CATEGORICAL EXCLUSION REVIEW: The Proposed Action qualifies as a categorical exclusion under 516 DM 11, Number: (D) (11) (a) (1-3), “(1) the same kind of livestock is grazed, (2) the active use previously authorized is not exceeded, and (3) grazing does not occur more than 14 days earlier or later than as specified on the previous permit/lease.” None of the following extraordinary circumstances in 516 DM 2, Appendix 2, apply.

Extraordinary Circumstances	Yes	No
2.1 Have significant impacts on public health or safety		X
2.2 Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas.		X
2.3 Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA section 102(2)(E)].		X
2.4 Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.		X
2.5 Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects.		X
2.6 Have a direct relationship to other actions with individually insignificant but cumulatively significant environmental effects.		X
2.7 Have significant impacts on properties listed, or eligible for listing, on the National Register of historic Places as determined by		X

either the bureau or office.		
2.8 Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species.		X
2.9 Violate a Federal Law, or a State, local, or tribal law or requirement imposed for the protection of the environment.		X
2.10 Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898).		X
2.11 Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007).		X
2.12 Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112).		X

INTERDISCIPLINARY REVIEW:

Name	Title	Area of Responsibility	Date Review Completed
Bill B. Wyatt	Archaeologist	Cultural Resources/Tribal Consultation	1/20/2009
Megan McGuire	Wildlife Biologist	Wildlife, T/E, and Sensitive Species	1/21/09
Paula Belcher	Hydrologist	Soil, Water, Air, and Riparian	2/25/09
Frank Rupp	Paleontologist	Paleontology	3/2/09
Susan Cassel	Asst. Field Manager	NEPA	3/3/09
John Monkouski	Outdoor Rec. Planner	Access/Transportation	3/3/09

REMARKS:

Cultural Resources: Past actions have resulted in a cultural resource inventory to determine if those actions would cause potential adverse affects to known and unknown cultural resource sites from livestock grazing, motorized travel, and recreational use. When project undertakings are identified, a cultural resource inventory would be conducted to determine if sites are present and their eligibility, project effects, and mitigation requirements if necessary.

Native American Religious Concerns: Consultation was completed for the original allotment renewal. Future undertakings would require tribal consultation to identify traditional cultural properties.

Threatened and Endangered Species: The proposed permit renewal would not impact Endangered, Threatened, or Sensitive Species.

Paleontology: No impacts to fossil resources from renewing permit, or the no action alternative. Proposed ground disturbing projects will be reviewed on a project by project basis to determine the need for paleontological inventory.

Access/Transportation: Allotments 07552 is within the Wolford Mountain Travel Management Area. Motorized and mechanized travel is restricted to designated routes with no cross country travel permitted. The permittee is allowed to travel on designated open routes with the corresponding mode of travel and routes designated for administrative use. Cross country travel is only permitted by foot or horseback. No motorized travel is permitted during the winter seasonal closure between December 15 and April 15 with the exception of snowmobiles on winter designated routes when there is a minimum of 12 inches of snow. Allotment 0007 is within the Troublesome Temporary Road and Area Closure. A portion of Allotment 07565 is within the Temporary Road and Area Closure with the majority of the allotment within the Troublesome Wilderness Study Area (WSA). Under the Troublesome Temporary Road and Area Closure cross country travel is only permitted by foot and horseback or by snowmobile when there is snow present. This temporary closure remains in effect until future travel management designations are completed. Within the Troublesome WSA, BLM administered lands are managed under the Interim Management Policy for Lands Under Wilderness Review (H-8550-1). Cross country motorized or mechanized travel is not permitted within the WSA. The proposed permit renewal would not impact current travel restrictions and designations. Grazing permittees have exemptions as outlined within the Transportation Terms and Conditions attachment.

COMPLIANCE PLAN: Compliance with the renewed livestock grazing permit and its associated terms and conditions would be accomplished through the Kremmling Field Office Range Management Program. Livestock grazing would be monitored by the range staff and other area personnel, as appropriate, to ensure compliance. The Kremmling Field Office Range Monitoring Plan would be used to schedule periodic utilization checks, collect trend data, and evaluate allotment condition. When activity plans have been developed covering an allotment, monitoring methods and schedules included in them would be applied to the allotment. Changes would be made to the permit, based on monitoring, when changes are determined necessary to protect land health.

NAME OF PREPARER: Richard Johnson

NAME OF ENVIRONMENTAL COORDINATOR: Susan Cassel

DATE: 3-2-09

ATTACHMENTS:

- 1) The following Livestock grazing permits with standard terms and conditions:
 - # 051949 for Coal Mountain LLC

- # 051764 for Matheson Ranch
 - # 052926 for William Thomas Jr.
 - # 051814 for Elkfork Ranch LLC
- 2) Wilderness Groups notified of proposed action
 - 3) Transportation Terms and Conditions

DECISION AND RATIONALE: I have reviewed this CER and have decided to implement the proposed action.

This action is listed in the Department Manual as an action that may be categorically excluded. I have evaluated the action relative to the 12 criteria listed above and have determined that it does not represent an extraordinary circumstance and is, therefore, categorically excluded from further environmental analysis.

SIGNATURE OF AUTHORIZED OFFICIAL: /s/ Peter McFadden

DATE SIGNED: 3/3/09